

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 20, 2015

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Chew. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Harper Gibbs, Page.

3RD ORDER

Approval of Journal

March 20, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-seventh Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 19, 2015

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

H 33, H 48, H 49, H 50, H 82, H 110, H 122, and H 133

As Always - Idaho, "Esto Perpetua"
/s/ C.L. "Butch" Otter
Governor

March 19, 2015

Mr. Speaker:

I transmit herewith enrolled S 1118, S 1087, S 1078, S 1059, as amended, S 1126, S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, S 1133, S 1080, as amended, S 1074, S 1075, S 1077,

SCR 107, SCR 109, SCR 110, and SCR 113 for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled S 1118, S 1087, S 1078, S 1059, as amended, S 1126, S 1127, S 1128, S 1129, S 1130, S 1131, S 1132, S 1133, S 1080, as amended, S 1074, S 1075, S 1077, SCR 107, SCR 109, SCR 110, and SCR 113 and, when so signed, ordered them returned to the Senate.

March 19, 2015

Mr. Speaker:

I return herewith enrolled HCR 11 which has been signed by the President.

NOVAK, Secretary

Enrolled HCR 11 was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 19, 2015

Mr. Speaker:

I transmit herewith S 1033, as amended, S 1150, S 1151, S 1157, S 1158, S 1159, S 1160, S 1161, and S 1162 which have passed the Senate.

NOVAK, Secretary

S 1033, as amended, S 1150, S 1151, S 1157, S 1158, S 1159, S 1160, S 1161, and S 1162 were filed for first reading.

March 19, 2015

Mr. Speaker:

I return herewith H 240, H 247, H 248, H 249, H 250, H 251, H 104, H 158, H 160, H 163, H 253, H 254, H 129, H 132, H 116, H 117, and H 137, as amended, which have passed the Senate.

NOVAK, Secretary

H 240, H 247, H 248, H 249, H 250, H 251, H 104, H 158, H 160, H 163, H 253, H 254, H 129, H 132, H 116, H 117, and H 137, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 19, 2015

Mr. Speaker:

I return herewith H 157, as amended in the Senate, which has passed the Senate.

NOVAK, Secretary

H 157, as amended in the Senate, was ordered held at the Desk.

Mr. McDonald asked unanimous consent that the House concur in the Senate amendments to H 157, as amended in the Senate. There being no objection, it was so ordered.

H 17, as amended in the Senate, was previously held at the Desk.

Mr. Palmer asked unanimous consent that the House concur in the Senate amendments to H 17, as amended in the Senate. There being no objection, it was so ordered.

H 194, as amended in the Senate, was previously held at the Desk.

Mr. Palmer asked unanimous consent that the House concur in the Senate amendments to H 194, as amended in the Senate. There being no objection, it was so ordered.

H 157, as amended in the Senate, H 17, as amended in the Senate, and H 194, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

5TH ORDER
Report of Standing Committees

March 20, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 20](#), [H 287](#), [H 288](#), [H 289](#), [H 290](#), [H 291](#), [H 292](#), [H 293](#), [H 294](#), [H 295](#), [H 297](#), and [H 298](#).

WILLS, Chairman

[HCR 20](#) and [H 298](#) were referred to the Health and Welfare Committee.

[H 287](#), [H 288](#), [H 289](#), [H 290](#), [H 293](#), [H 294](#), and [H 295](#) were filed for second reading.

[H 291](#) was referred to the Resources and Conservation Committee.

[H 292](#) was referred to the Business Committee.

[H 297](#) was referred to the Revenue and Taxation Committee.

March 20, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 30](#), [H 46](#), [H 59](#), [H 78](#), [H 81](#), [H 90](#), [H 91](#), [H 101](#), [H 102](#), [H 107](#), [H 120](#), as amended, [H 121](#), [H 126](#), [H 128](#), [H 143](#), [H 148](#), [H 153](#), [H 156](#), [H 159](#), [H 172](#), [H 178](#), [H 190](#), [H 209](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), [H 232](#), and [HCR 13](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 30](#), [H 46](#), [H 59](#), [H 78](#), [H 81](#), [H 90](#), [H 91](#), [H 101](#), [H 102](#), [H 107](#), [H 120](#), as amended, [H 121](#), [H 126](#), [H 128](#), [H 143](#), [H 148](#), [H 153](#), [H 156](#), [H 159](#), [H 172](#), [H 178](#), [H 190](#), [H 209](#), [H 226](#), [H 227](#), [H 228](#), [H 229](#), [H 230](#), [H 231](#), [H 232](#), and [HCR 13](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 20, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 29](#), as amended in the Senate, to the Governor at 10:50 a.m., as of this date, March 19, 2015.

WILLS, Chairman

March 20, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 6](#), [HCR 9](#), [HCR 14](#), [HJM 5](#), [HJM 6](#), and [HJM 7](#) to the Secretary of State at 10:48 a.m., as of this date, March 19, 2015.

WILLS, Chairman

March 19, 2015

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1072](#), as amended, and recommend that it do pass.

DEMORDAUNT, Chairman

[S 1072](#), as amended, was filed for second reading.

March 19, 2015

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1011](#) and report it back without recommendation.

LOERTSCHER, Chairman

[S 1011](#) was filed for second reading.

March 19, 2015

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1104](#) and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[S 1104](#) was placed on General Orders for consideration.

March 19, 2015

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 277](#) and recommend that it do pass.

BARBIERI, Chairman

[H 277](#) was filed for second reading.

March 19, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [S 1053](#), as amended, and [S 1069](#), as amended, as amended, and recommend that they do pass.

WILLS, Chairman

[S 1053](#), as amended, and [S 1069](#), as amended, as amended, were filed for second reading.

March 20, 2015

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 296](#) and recommend that it do pass.

DEMORDAUNT, Chairman

[H 296](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER
Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 21
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
REJECTING A CERTAIN RULE DOCKET OF THE STATE
BOARD OF AND STATE DEPARTMENT OF EDUCATION
RELATING TO RULES GOVERNING THOROUGHNESS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the State Board of and State Department of Education relating to Rules Governing Thoroughness is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.02.03, the State Board of and State Department of Education, Rules Governing Thoroughness, adopted as a pending rule under Docket Number 08-0203-1406, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 22
BY EDUCATION COMMITTEE
A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION RELATING TO RULES GOVERNING UNIFORMITY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the State Board of and State Department of Education relating to Rules Governing Uniformity is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.02.02, the State Board of and State Department of Education, Rules Governing Uniformity, Section 004., Subsection 03., only, adopted as a pending rule under Docket Number 08-0202-1402, be, and the same is hereby rejected and declared null, void and of no force and effect.

HCR 21 and **HCR 22** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**8TH ORDER
Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 300
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION 33-1002, IDAHO CODE, TO REMOVE THE TERM "SECONDARY" IN RELATION TO SUPPORT UNITS, ALTERNATIVE SCHOOLS AND STUDENTS AND TO PROVIDE THAT COMPUTATION OF ALTERNATIVE SCHOOL SUPPORT UNITS SHALL INCLUDE GRADES 6 THROUGH 12; AMENDING SECTION 33-1002C, IDAHO CODE, TO REMOVE THE TERM "SECONDARY" IN RELATION TO ALTERNATIVE SCHOOLS AND SUPPORT UNITS; AMENDING SECTION 33-1002F, IDAHO CODE, TO REMOVE THE TERM "SECONDARY" IN RELATION TO ALTERNATIVE SCHOOLS AND SUPPORT UNITS; AMENDING SECTION 46-805, IDAHO CODE, TO REMOVE THE TERM "SECONDARY" IN RELATION TO STATE ALTERNATIVE SCHOOL FUNDING; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 301
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO CONCEALED WEAPONS; REPEALING SECTION 18-3302, IDAHO CODE, RELATING TO THE ISSUANCE OF LICENSES TO CARRY CONCEALED WEAPONS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3302, IDAHO CODE, TO PROVIDE POLICIES AND PROCEDURES IN THE ISSUANCE OF A LICENSE TO CARRY CONCEALED WEAPONS; AMENDING SECTION 18-3302I, IDAHO CODE, TO REMOVE A DEFINITION; REPEALING SECTION 18-3302K, IDAHO CODE, RELATING TO THE ISSUANCE OF ENHANCED LICENSES TO CARRY CONCEALED WEAPONS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3302K, IDAHO CODE, TO PROVIDE POLICIES AND PROCEDURES IN THE ISSUANCE OF AN ENHANCED LICENSE TO CARRY CONCEALED WEAPONS; AMENDING SECTION 18-3316, IDAHO CODE, TO REMOVE A DEFINITION; AMENDING SECTION 31-870, IDAHO CODE, TO PROVIDE THAT A BOARD OF COUNTY COMMISSIONERS SHALL NOT IMPOSE OR COLLECT A FEE FOR LICENSES TO CARRY CONCEALED WEAPONS; AND AMENDING SECTION 9-340B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

H 300 and **H 301** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1033, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1150, **S 1151**, **S 1157**, **S 1158**, **S 1159**, **S 1160**, **S 1161**, and **S 1162**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**10TH ORDER
Second Reading of Bills and Joint Resolutions**

H 281, **H 282**, and **H 284**, by Appropriations Committee, were read the second time by title and filed for third reading.

H 1, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1091 and **S 1107**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1121, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

H 246, by Education Committee, was read the second time by title and filed for third reading.

H 260, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

S 1088, as amended in the House, by Education Committee, was read the second time by title and filed for third reading.

S 1148 and **S 1149**, by Finance Committee, were read the second time by title and filed for third reading.

